Memorandum



Date:

September 1, 2015

To:

Honorable Chairman Jean Monestime

From:

Carlos A. Gimenez

Mayor

Subject:

and Members, Board of County Commissioners

Agenda Item No. 1F9

Sunset Review of County Boards for 2015 - Agricultural Practices Advisory Board

In accordance with the provisions of Section 2-11.40 of the Code of Miami-Dade County, I am transmitting the 2015 Sunset Review of County Boards Report for the Miami-Dade County Agricultural Practices Advisory Board. The Board approved the attached report at its meeting of December 3, 2014 and has recommended the continuation of its board.

Jack Osterholt, Deputy Mayor

Date:

December 3, 2014

To:

Carlos A. Giménez

Mayor

From:

Larry Caudle

Chairperson, Agricultural Practices Advisory Board

Subject:

Sunset Review of County Boards for 2015 - Agricultural Practices Advisory

Board

Pursuant to Section 2-11.40 of the Code of Miami-Dade County, I am submitting the 2015 Sunset Review of County Boards Report for the Agricultural Practices Advisory Board for transmittal to the Board of County Commissioners (BCC). The Board approved the attached report at its meeting of December 3, 2014.

It is recommended that the BCC approve the continuation of the Agricultural Practices Advisory Board.

BACKGROUND

The Agricultural Practices Advisory Board (APAB) was created on January 17, 1995. The purpose of the Board is to conduct a review of the regulations regarding agricultural practices in Miami-Dade County and provide recommendations to the BCC with regard to such regulations. The APAB continues to review regulations and legislation pertaining to agriculture, and provide recommendations to the BCC. In 2008, Sections 2-931, 2-932 and 2-933 of the Miami-Dade County Code, which created the APAB, were amended and Sections 2-934 through 2-936 were created to update and clarify the APAB organizational structure and purpose. In 2011, Section 2-934 was amended to eliminate term limits and provide for member to serve on the Board until his or her successor has been appointed. In 2012 and 2013, the Board provided recommendations to the Zoning Division staff to revise the Zoning Code to allow agricultural uses on properties of less than 5-acres and on non-agriculturally designated land within the Agricultural area. And from 2013 to the present, the Board has provided recommendations and alternative solutions to a consultant, the South Florida Water Management District, and the U.S. Army Corps of Engineers to resolve the issue of high groundwater tables and flooding in South Dade's agricultural fields. This Board provides a vital service for Miami-Dade County's agricultural community and should continue to function.

Larry Caudid

Board Chairperson

Sunset Review of County Boards for 2015 Package Checklist

AGRICULTURAL PRAGICES ADVISORY BOARD

<u> </u>	4921004019401949195513111130800 Buaid
<u>/</u>	Completed Sunset Review Questionnaire
<u> </u>	Mayor's Transmittal Memorandum (also email memo to Nan A. Markowitz at <u>nanm@miamidade.gov</u>)
<u> </u>	Memorandum from Board Chair to Mayor
- V	Membership attendance for the previous 2 calendar years (2013 and 2014)
	Ordinance creating Board (and all subsequent amendments)
4)4	Standard Operating Procedures (if any)
N/A	By-Laws (if any)
<u> </u>	Minutes from Board meeting approving completed Sunset Review Questionnaire, including a vote of the membership
	Completed by:
	Name STEPHEN M DORSEY, AICP 12/29/14 Date

SUNSET REVIEW QUESTIONNAIRE MIAMI-DADE COUNTY BOARDS 2015

I.		Name of Board reporting: <u>Agricultural Practices Advisory Board</u>
	2.	Indicate number of board members, terms of office, and number of vacancies: Number of Board Members: Thirteen Terms of Office: Four Years Number of Vacancies: None
	3,	Identify number of meetings and members' attendance (Attach records reflecting activity from Jan. 1, 2013 through December 31, 2014): Number of Meetings: 24 Number of Meetings with a Quorum: 24 Attendance Records: See Attachment 6A and 6B
	4.	What is the source of your funding?General Fund
	5.	Date of Board Creation: January 17, 1995
	6.	Attach a copy of the ordinance creating the Board (Please include all subsequent amendments). See Attachment Attachment 8 (APAB Ordinances).
	7.	Include the Board's Mission Statement or state its purpose: The purpose of the APAB shall be to review proposed or existing regulations or legislation pertaining to agricultural practices in Miami-Dade County and to provide recommendations to the Board of County Commissioners (BCC) with regard to such regulations and legislation.
	8.	Attach the Board's standard operating procedures, if any. <u>N/A</u>
	9,	Attach a copy of the Board's By-Laws, if any. N/A
	10.	Attach a copy of the Board minutes approving the Sunset Review Questionnaire, including a vote of the membership. See Attachment Attachment 7 (Meeting Summary: December 3, 2014).
(I.	E V	ALUATION CRITERIA Is the Board serving the purpose for which it was created? (Please provide detailed information) Yes. The APAB serves the purpose of reviewing and commenting on regulations and legislation that affects agriculture in Miami-Dade County. In previous years their actions and recommendations have helped preserve the County's Agricultural Manager position; reinstated the position and funding of a Tropical Fruit Crop Agent; and amended the Miami-Dade County Comprehensive Development Mater Plan (CDMP) to delete references to "seasonal agriculture," to expand the definition of agriculture, and to allow year-round agriculture in certain "Open Land" designated land use category areas of the County. In the last two years, the Board has provided recommendations to the Department of Regulatory and Economic Resources,

SUNSET REVIEW QUESTIONNAIRE MIAMI-DADE COUNTY BOARDS 2015

Zoning Division, to revise the Zoning Code to allow agricultural uses on properties of less than 5-acres and on non-agriculturally designated land within the Agricultural area; met with U.S. Department of Labor, Wage and Hour Division, representatives to address complaints received from farm employers regarding the Department's auditing tactics; and continues to provide recommendations to a consultant working with the South Florida Water Management District and the U.S. Army Corps of Engineers to address high groundwater tables and/or flooding in South Dade's agricultural fields.

- 2. Is the Board serving current community needs? (Please provide detailed information)
 As stated above, the purpose of the APAB is to review regulations and legislation,
 which they do on a regular basis. Their intimate knowledge on agricultural issues
 ensures that the agricultural community's views are heard.
- 3. What are the Board's major accomplishments?
 - a. Last 24 months
 - From December 2012 to April 2013, the Board provided recommendations to the Zoning Division staff to revise the Zoning Code to: a) allow agricultural uses on properties of less than 5-acres in agriculturally-designated areas, and b) allow agricultural uses on non-agriculturally designated land within the Agricultural area.
 - In March 2013 the Board forwarded Resolution No. AG-01-07 to the Board of County Commissioners requesting that County laws regarding farming in wetlands be consistent with State and federal laws.
 - From September 2013 to present, the Board has provided recommendations and alternatives to Mr. Tom MacVicar, a hydrologist/consultant, who is working with the South Florida Water Management District and the U.S. Army Corps of Engineers to resolve the issue of high groundwater tables and/or flooding in South Dade's agricultural fields. This topic has been a major concern for the agricultural community that has yet to be fully resolved.
 - In February 2014, the Board arranged for U.S. Department of Labor—Wage and Hour Division—representatives to meet with the Board to address complaints regarding the Department of Labor's audit tactics amongst South Dade farm employers.
 - b. Since established:

 Please refer to previous annual reports for an overview of the APAB's major accomplishments between 1995 and 2012.
- 4. Is there any other board, either public or private, which would better serve the function of this board? No. There are no other public or private boards which act as reviewers of agricultural regulations and as liaisons between agricultural interests and the BCC.

SUNSET REVIEW QUESTIONNAIRE MIAMI-DADE COUNTY BOARDS 2015

6. Should the Board's membership requirements be modified?

purpose.

5. Should the ordinance creating the Board be amended to better enable the Board to serve the purpose for which it was created? (If "Yes", attach proposed changes)

No. In June 2011, the Board amended Article LXVIII, Section 2-934, of the ordinance to eliminate term limits for Board members, and to allow Board members to continue serving until his or her successor has been appointed.

	No.
7.	What is the operating cost of the Board, both <u>direct and indirect</u> ? (Report on FY 2013 and FY 2014) 2013: \$13,574
8.	2014; \$13,557
٠.	effectiveness in achieving its stated goals. The APAB's performance is gauged by comparing its activities to its purpose and

charge as outlined in Section 2-931 of the Code of Miami-Dade County. A review of the APAB's activities in 2013 and 2014 indicates that it continues to serve its

AGRICULTURAL PRACTICES ADVISORY BOARD ATTENDANCE RECORD 2013

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KEY

Present: P Unexcused Absence: A Excused Absence: EA Resigned: R Term Expired: TE Canceled Meeting: C No Quorum: NQ Not a Board Member: -

AGRICULTURAL PRACTICES ADVISORY BOARD ATTENDANCE RECORD 2014

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2015 SUNSET REVIEW OF COUNTY BOARDS

AGRICULTURAL PRACTICES ADVISORY BOARD

Attached Ordinances:

- Ordinance No. 95-03
- Ordinance No. 96-14
- Ordinance No. 96-181
- Ordinance No. 98-16
- Ordinance No. 99-79
- Ordinance No. 08-101
- Ordinance No. 11-58

CLERK OF THE BOARD OF THE BOARD

MEMORANDUM®

Agenda Item No. 7(B)

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(___)

Hon. Chairperson and Nambers Board of County Commissioners DATE: "

(Public Hearing 1-17-95) November 15, 1994

SUBJECT: Agricultural Practices Brudy Advisory Board

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Robert A. Ginsburg FROM: County Attorney

95=03

The attached ordinance is placed on the agenda at the request of Commissioner Katy Screnson.

Robert A. Ginsburg County Attorney

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RAGIJACIDAM Attachment Agenda item No. 7(E) 1-17-95

ordinance no. 95 = ()3

(ij)

ORDINANCE CREATING AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING PURPOSE AND DUTIES; PROVIDING FOR MEMBERSHIP, QUALIFICATIONS, TERMS AND STAFF SUPPORT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

WHEREAS, this Board by Resolution No. R-1635-93 established an Ad-Hoc Committee to study the regulation of agricultural practices in Dade County, and by Resolution No. R-537-94 extended the existence of the Committee through December 13, 1994; and

WHEREAS, the magnitude of the task assigned to the Committee requires that additional time be afforded to properly complete it:

it;
now, therefore, be it ordained by the board of county commissioners of dade county, florida;

Section 1. Sec. __ sec. __ of the Code of Metropolitan Dade County are hereby created to read as follows:

sec. ____. creation: purpose: duties.

There is hereby created and established an advisory board to be known as the Agricultural practices Study Advisory Board. Its purpose shall be to conduct a study of the regulation of agricultural practices in Dade County and to provide recommendations to the Board of County Commissioners with regard to such regulations.

In order to fulfill its purpose, the Board shall prepare and submit to the Board of County Commissioners

no later than December 31, 1995, a report including the following:

- (a) an overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Dade County,
 - (b) recommendations for aliminating or reducing duplication of effort when two or more governmental entities administer similar regulatory programs;
 - (c) recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals; and
 - (d) recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry.

Sec. Membership: qualifications.

There shall be a total of thirteen (13) members appointed as follows:

- (a) The initial thirteen (13) members shall be comprised of the members of the Dade County Ad-Hoc Committee created to study regulation of agricultural practices in the county.
- If a vacancy occurs, it shall be filled (¢) by the Board of County Commissioners from a slate of nominees selected by the through a selection County Manager process implemented by the Planning Department. Nominees shall be members interest agricultural recognized have shall and organizations the in interest demonstrated agricultural industry in Dade County.

Sec. Terms; staff support,

Members of the Board shall serve until the submission of the Board's report to the Board of County Commissioners.

The County Manager shall designate representatives from the Planning Department to provide appropriate staff support to the Board.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 1. It is the intention of the Board of County Commissioners, and is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment.

PASSED AND ADOPTED JAN 1 7 1995

Approved by County Attorney as to form and legal sufficiency. M6

Prepared by:

Sponsored by Commissioner Katy Sorenson



MEMORANDUM

Supplement to Agenda Item No. 7(E)

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the entire Minaria Africa (a)

Honorable Chairperson and Members

Board of County Commissioners

DATE:

Janauary 17, 1995

SUBJECTI

Statement of Flacal Impact of the Proposed Agricultural Practices Study Advisory Board

Ordinance

FROM:

(A)

County Manager

95 - 03

It is estimated that the annual cost of Planning Department support to the proposed Agricultural Practices Study Advisory Board is estimated to be \$13,025, based upon anticipated labor-hour requirements at appropriate planning staff rates. This commilment could be absorbed within existing staff resources.

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PARTITUTEODI OPORDINANCES Chapter 2 AVENTINES TRACTION

NRTEET TO X VALUE AND RECEIVED WITH THE RAY CHIEDS STUDDY ADVISORY BOARD.

AGRICULTURAL PRACTICES STUDY ADVISORY ARTICLE LXVIII.

Editor's note-Ord. No. 95-03, adopted Jan. 17, 1995, amended the Code by the BOARD addition of provisions which have been included herein at the discretion of the editor as Art. LXVIII, §§ 2-931--2-933.

Sec. 2-931. Creation; purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices Study Advisory Board. Its purpose shall be to conduct a study of the regulation of agricultural practices in Miami-Dade County, review the Agricultural Land Use Study and to provide recommendations to the Board of County Commissioners with regard to such regulations and Agricultural Land Use Study.

In order to fulfill its purpose, the Board shall prepare and submit to the Board of County

Commissioners an annual report addressing the following:

(a) An overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Miami-Dade County;

(b) Recommendations for eliminating or reducing duplication of effort when two (2) or similar administer entities more

(c) Recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals;

(d) Recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry; and

(e) An analysis and recommendations for modifying or implementing provisions in the Agricultural Land Use Study.

(Ord. No. 95-03, § 1, 1-17-95; Ord. No. 96-14, § 1, 1-16-96; Ord. No. 96-181, § 1, 12-3-96; Ord. No. 98-16, § 1, 2-3-98)

Sec. 2-932. Membership; qualifications.

There shall be a total of thirteen (13) members appointed by the Board of County Commissioners as follows:

- (a) Two (2) representatives from the Tropical Fruit Crops Industry of Miami-Dade County, one (1) recommended by Florida Lime and Avocado Committee, and one (1) recommended by the Tropical Fruit Growers of South Florida and Florida's Tropical Fruit Advisory Council;
- (b) Two (2) representatives from the nursery industry, recommended by the Miami-Dade County Chapter of the Florida Nurserymen and Growers Association;
- (c) Two (2) representatives from the vegetable industry, recommended by the Miami-Dade County Farm Bureau;
- (d) One (1) representative of the aquaculture industry, recommended by the ornamental Aquaculture Association of South Florida; 15

(e) One (1) representative of a citizens' association supportive of agriculture, recommended by the Redland Citizens' Association;

(f) One (1) representative of allied agribusiness, recommended by the Miami-Dade

AgriCouncil;

(g) One (1) representative of agri-banking, recommended by the Homestead-Florida City Chamber of Commerce;

(h) One (1) representative of Farm Labor, recommended by Coalition of Florida

Farmworkers Organizations;

(i) One (1) representative of the South Dade Soil & Water Conservation District, recommended by the South Dade Soil & Water Conservation District; and

(j) One (1) at large representative recommended by the Miami-Dade Agricultural

Practices Study Advisory Board.

(Ord. No. 95-03, § 1, 1-17-95; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 99-79, § 1, 7-13-99)

Sec. 2-933. Terms; staff support.

Members shall have a major portion of their income from or work time devoted to production agriculture in Miami-Dade County, and shall be appointed for terms of three (3) years, with none serving more than two (2) consecutive terms in the same position. The County Manager shall designate representatives from the Department of Planning and Zoning to provide appropriate staff support to the Board.

(a) Transition. In the year 2000 (Transition Year 1) there will be two (2) at-large representatives, one (1) appointed for the regular three (3) year term and one (1) appointed for one (1) year only. There will therefore be a total of fourteen (14) members in Transition Year 1 only. Otherwise, the transition from the current board to the new

board and three (3) year term rotations shall occur as follows:

Year 1 Transitions and Term Rotations:

- 1. Florida Lime & Avocado Committee (replacing current Tropical Fruit Growers of South Florida position)
- 2. At-large representative (replacing current Tropical Fruit Growers of South Florida position)

3. Farm labor (replacing current Tropical Fruit and Vegetable position)

4. Nursery representative #2 (replacing current Tropical Fruit Advisory Council position)

5. Citizens' Association

Year 2 Transitions and Term Rotations:

1. Tropical Fruit representative (replacing current Florida Mango forum position)

Vegetable representative #1

3. South Dade Soil & Water Conservation District

4. Allied Agribusiness

Year 3 Transition and Term Rotations:

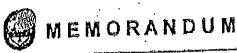
- 1. Nursery representative #1
- 2. Vegetable representative #2
- 3. Agri-banking
- 4. Aquaculture.

(Ord. No. 95-03, § 1, 1-17-95; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 98-16, § 2, 2-3-98; Ord. No. 98-125, § 38, 9-3-98; Ord. No. 99-79, § 2, 7-13-99)

[Note: (RI, 4-30-2003) Section 2-932 includes another paragraph that has inadvertently been deleted from the published and on-line versions of the County Code, but which the Clerk's office has been notified to correct. Per County Ordinance 95-03, this paragraph reads:

If a vacancy occurs, it shall be filled by the Board of County Commissioners from a slate of nominees selected by the County Manager through a selection process implemented by the Planning and Zoning Department. Nominees shall be members of recognized agricultural interest organizations and shall have a demonstrated interest in the agricultural industry in Miami-Dade County.]

OFFICIAL FILE COPY CLERK OF THE BOARD OF COUNTY COMMISSIONERS DADE COUNTY, FLORIOA





Agenda Item No. 7(F)

ARO:

Honorable Chairperson and Members,

Board of County Commissioners

DATE:

(Public Hearing 1-16-96) December 5, 1995

. SUBJECT:

Agricultural Practices Study

Advisory Board

FROM:

Robert A. Ginsburg

County Attorney

96-14

The attached ordinance was prepared and placed on the agenda at the request of Commissioner Katy Sorenson.

Robert A. Ginsburg Dade County Attorney

RAG/mkd Attachment

Agenda Item No. 7(F) 1-16-96

ORDINANCE NO. 96-14

ORDINANCE EXTENDING EXISTENCE OF AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; MODIFYING DUTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board by Resolution No. R-1635-93 established an Ad-Hoc Committee to study the regulation of agricultural practices in Dade County, and by Resolution No. R-536-94 and Ordinance No. 95-03 extended the existence of the Committee through December 31, 1995; and

WHEREAS, the magnitude of the task assigned to the Committee reunires that additional ...

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 2-931 of the Code of Metropolitan Dade County is hereby amended to read as follows:

Sec. 2-931. Creation: purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices Study Advisory Board. Its purpose shall be to conduct a study of the regulation of agricultural practices in Dade County and to provide recommendations to the Board of County Commissioners with regard to such regulations.

Words stricken through shall be deleted. Underscored words constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.



In order to fulfill its purpose, the Board shall prepare and submit to the Board of County Commissioners no later than December 31, 1996, a report including the following:

- (a) an overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Dade County;
- (b) recommendations for eliminating or reducing duplication of offert when two or more governmental entities administer similar regulatory programs;
- (c) recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals; and
- (d) recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industrys; and
- (c) an analysis and recommendations for modifying or implementing provisions in the Agricultural Land Use Study.
- Section 2. This ordinance does not contain a sunset provision.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any Sunset provision, shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

DIX OF DELKY 15

Agenda (tem No. 7(F) Page 3

Section 5. This ordinance shall become effective ton (10) days after the date of enactment.

PASSED AND ADOPTED;

JAN 1 6 1996

Approved by County Attorney as to form and legal sufficiency.

QAG ...

Prepared by:

Ju.

Sponsored by Commissioner Katy Sorenson

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TO:

Honorable Chairperson and Member Board of County Commissioners

rmando Vidal, P.E.

County Manager

DATE: '

January 16, 1996

SUBJECT:

Statement of Fiscal Impact

of the Agricultural

Practices Study Advisory

Board Ordinance

It is estimated that the annual cost of support from the Department of Planning, Development and Regulation's Planning Division, to the Agricultural Practices Study Advisory Board is \$15,475.28, based upon anticipated labor-hour requirements at appropriate planning staff rates. This commitment could be absorbed within existing staff resources.



Miami-Dade Legislative Item File Number: 963451

File Number: 963451

File Type: Ordinance

Status: Adopted

Version: 0

Reference: 96-181

Control: County Commission

File Name: AGRICULTURAL PRACTICES STUDY ADVISORY Introduced: 11/13/1996

BOARD

Requester: NONE

Cost:

Final Action: 12/3/1996

Agenda Date: 12/3/1996 Agenda Item Number: 4J

Notes: Title: ORDINANCE EXTENDING TIME FOR REPORT OF AGRICULTURAL

PRACTICES STUDY ADVISORY BOARD; PROVIDING SEVERABILITY,

INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Indexes: AGRICULTURAL Sponsors: Katy Sorenson, Prime Sponsor

Sunset Provision: No

Effective Date:

Expiration Date:

Registered Lobbyist: None Listed

Legislative History

	regia	ICCI VO III TO I	,	-4-1	,
Date	Agenda Item	Action	Sent To	Due Date Returned	Pass/Fai
12/3/1996	4J	Adopted			P
11/19/1996	3 9D	Adopted on first reading		12/3/1996	Р
	12/3/1998	Date Agenda	12/3/1996 4J Adopted 41/19/1996 9D Adopted on first	Date Agenda Action Sent To 12/3/1996 4J Adopted 44/49/1996 9D Adopted on first	Date Agenda Action Sent Due Date Returned To 12/3/1996 4J Adopted 41/49/1996 9D Adopted on first 12/3/1996

Legislative Text

ORDINANCE EXTENDING TIME FOR REPORT OF AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, this Board by Resolution No. R-1635-93 established an Ad-Hoc Committee to study the

regulation of agricultural practices in Dade County, and by Resolution No. R-537-94 extended the Committee's existence through December 13, 1994; and by Ordinance Nos. 95-03 and 96-14 extended the time for the Committee's report through December 31, 1996; and

WHEREAS, the magnitude of the task assigned to the Committee requires that additional time be afforded to properly complete it;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY, FLORIDA:

Section 1. Section 2-931 of the Code of Metropolitan Dade County, Florida, is hereby amended to read as follows:1

Sec. 2-931. Creation; purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices Study Advisory Board. Its purposes shall be to conduct a study of the regulation of agricultural practices in Dade County; review the Agricultural Land Use Study and to provide recommendations to the Board of County Commissioners with regard to such regulations and Agricultural Land Use Study.

In order to fulfill its purposes, the Board shall prepare and submit to the Board of County Commissioners no later than December 31, [[1996]] >>1997<<, a report including the following:

- (a) An overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Dade County;
- (b) Recommendations for eliminating or reducing duplication of effort when two (2) or more governmental entities administer similar regulatory programs;
- (c) Recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals;
- (d) Recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry; and
- (e) An analysis and recommendations for modifying or implementing provisions in the Agricultural Land Use Study.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Metropolitan Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board. Section 5. This ordinance does not contain a sunset provision.

1 Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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Miami-Dade Legislative Item File Number: 974491

File Number: 974491

File Type: Ordinance

Status: Adopted

Version: 0

Reference: 98-16

Control: County Commission

File Name: AGRICULTURAL PRACTICES STUDY ADVISORY

Introduced:

1/5/1998

BOARD

Requester: NONE

Cost.

Final Action: 2/3/1998

Agenda Date: 2/3/1998 Agenda Item Number: 4E

Notes: Title: ORDINANCE PERTAINING TO AGRICULTURAL PRACTICES STUDY

ADVISORY BOARD; PROVIDING FOR ANNUAL REPORTING; PROVIDING FOR TERM OF FOUR YEARS; PROVIDING SEVERABILITY, INCLUSION IN

THE CODE, AND AN EFFECTIVE DATE

Indexes: AGRICULTURAL Sponsors: Katy Sorenson, Prime Sponsor

Sunset Provision: No

Effective Date:

Expiration Date:

Registered Lobbyist: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned Pass/Fat
Board of County Commissioners	2/3/1998	4E	Adopted			P
Board of County Commissioners	1/13/1998	9N	Adopted on first reading		2/3/1998	Р
County Attorney	1/5/1998		Assigned	Joni Coffey		1/5/1998

Legislative Text

ORDINANCE PERTAINING TO AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; TITLE PROVIDING FOR ANNUAL REPORTING; PROVIDING FOR TERM OF FOUR YEARS;

PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

RODY

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-931 of the Code of Miami-Dade County, Florida, is hereby amended as follows:1

Sec. 2-931. Creation; purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices Study Advisory Board. Its purpose shall be to conduct a study of the regulation of agricultural practices in Dade County, review the Agricultural Land Use Study and to provide recommendations to the Board of County Commissioners with regard to such regulations and Agricultural Land Use Study.

In order to fulfill its purpose, the Board shall prepare and submit to the Board of County Commissioners [[no later than December 31, 1997, a]] >> an annual << report [[including]] >> addressing << the following:

- (a) An overview of all pertinent state, regional and local regulations, statutes, ordinances and policies concerning or impacting agriculture in Dade County;
- (b) Recommendations for eliminating or reducing duplication of effort when two (2) or more governmental entities administer similar regulatory programs;
- (c) Recommendations for eliminating or modifying regulatory activities that have mutually exclusive or contradictory criteria or goals;
- (d) Recommendations for eliminating or modifying regulatory activities that create undue burden or hardship on the agricultural industry; and
- (e) An analysis and recommendations for modifying or implementing provisions in the Agricultural Land Use Study.

Section 2. Section 2-933 of the Code of Miami-Dade County, Florida, is hereby amended as follows:

Sec. 2-933. Terms; staff support.

Members of the board shall serve [[until the submission of the Board's report to the Board of County Commissioners]] >>a term of four years <<. The County Manager shall designate representatives from the Department of Planning, Development and Regulation to provide appropriate staff support to the Board.

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other

appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 6. This ordinance does not contain a sunset provision. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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Miami-Dade Legislative Item File Number: 991820

File Number: 991820

File Type: Ordinance

Status: Adopted

Version: 0

Reference: 99-79

Control: County Commission

File Name: AGRICULTURAL PRACTICES STUDY ADVISORY

Introduced: 7/6/1999

BOARD

Requester: NONE

Cost:

Final Action: 7/13/1999

Agenda Date: 7/13/1999 Agenda Item Number: 4BSUBSTITUTE

Notes: Title: ORDINANCE AMENDING SECTION 2-931, ET. SEQ., OF THE CODE OF

MIAMI-DADE COUNTY TO CHANGE THE COMPOSITION AND TERMS OF

THE MIAMI-DADE COUNTY AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE

CODE, AND AN EFFECTIVE DATE

Indexes: AGRICULTURAL Sponsors: Katy Sorenson, Prime Sponsor

Sunset Provision: No

Effective Date:

Expiration Date:

Registered Lobbylst: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned Pass/Fall
Board of County Commissioners	7/13/1999	4B SUBSTITUTE	Adopted			P
County Attorney	7/6/1999		Assigned	Augusto Maxwell		

Legislative Text

TTTT JE

ORDINANCE AMENDING SECTION 2-931, ET. SEQ., OF THE CODE OF MIAMI-DADE COUNTY TO CHANGE THE COMPOSITION AND TERMS OF THE MIAMI-DADE COUNTY AGRICULTURAL PRACTICES STUDY ADVISORY BOARD; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, Sections 2-931, 2-932 and 2-933 of the Code of Miami-Dade County provide for the creation, composition, terms, purpose, and duties of the Agricultural Practices Study Advisory Board;

WHEREAS, a purpose of the Advisory Board is to study the regulation of agricultural practices in Miami-Dade County and to provide recommendations to the Board of County Commissioners with

WHEREAS, the Advisory Board should appropriately represent the various sectors of agriculture in

WHEREAS, the Advisory Board recognizes the increasing economic impact of the nursery industry in Miami-Dade County; and

WHEREAS, to accomplish theses goals, the Advisory Board has recommended this Board amend Section 2-931, et. seq. of the Code of Miami-Dade County to restructure the Advisory Board; NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-932 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:1

Sec. 2-932. Membership; qualifications.

There shall be a total of thirteen (13) members appointed >> by the Board of County Commissioners << as follows:

- (a) [[The initial thirteen (13) members shall be comprised of the members of the Dade County Ad-Hoc Committee created to study regulation of agricultural practices in the County.]]
- >>two (2) representatives from the Tropical Fruit Crops Industry of Miami-Dade County, one (1) recommended by Florida Lime and Avocado Committee, and one (1) recommended by the Tropical Fruit Growers of South Florida and Florida's Tropical Fruit Advisory Council;

two (2) representatives from the nursery industry, recommended by the Miami-Dade County Chapter of the Florida Nurserymen & Growers Association;

two (2) representatives from the vegetable industry, recommended by the Dade County Farm Bureau; one (1) representative of the aquaculture industry, recommended by the ornamental Aquaculture

one (1) representative of a citizens' association supportive of agriculture, recommended by the Redland

one (1) representative of allied agribusiness, recommended by the Miami-Dade AgriCouncil;

one (1) representative of agri-banking, recommended by the Homestead-Florida City Chamber of

one (1) representative of Farm Labor, recommended by Coalition of Florida Farmworkers

one (1) representative of the South Dade Soil & Water Conservation District, recommended by the

South Dade Soil & Water Conservation District; and one (1) at large representative recommended by the Miami-Dade Agricultural Practices Study Advisory Board.<< * * *

Section 2. Section 2-933 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 2-933. Terms, staff support

[[Members of the Board shall serve until the submission of the Board's report to the Board of County Commissioners.]] >> Members shall have a major portion of their income from or work time devoted to production agriculture in Miami-Dade County, and shall be appointed for terms of three (3) years, with none serving more than two (2) consecutive terms in the same position. << The County Manager shall designate representatives from the Department of Planning[[, Development and Regulation]] >> and Zoning << to provide appropriate staff support to the Board.

>>(a) Transition - In the year 2000 (Transition Year 1) there will be two at-large representatives, one (1) appointed for the regular three (3) year term and one appointed for one (1) year only. There will therefore be a total of fourteen (14) members in Transition Year 1 only. Otherwise, the transition from the current board to the new board and three year term rotations shall occur as follows:

Year 1 Transitions and Term Rotations:

- 1. Florida Lime & Avocado Committee (replacing current Tropical Fruit Growers of South Florida position)
- 2. At-Large Representative (replacing current Tropical Fruit Growers of South Florida position)
- 3. Farm Labor (replacing current Tropical Fruit and Vegetable position)
- 4. Nursery Representative #2 (replacing current Tropical Fruit Advisory Council position)
- 5. Citizens' Association

Year 2 Transitions and Term Rotations:

- 1. Tropical Fruit Representative (replacing current Florida Mango forum position)
- 2. Vegetable Representative #1
- 3. South Dade Soil & Water Conservation District
- 4. Allied Agribusiness

Year 3 Transition and Term Rotations:

- 1. Nursery Representative #1
- 2. Vegetable Representative # 2
- 3. Agri-banking
- 4. Aquaculture.<<

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered

Legislative Matter

to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board. Section 6. This ordinance does not contain a sunset provision.

1 Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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Miami-Dade Legislative Item File Number: 082578

Clerk's Official Copy

File Number: 082578

File Type: Ordinance

Status: Adopted

Version: 0

Reference: 08-101

Control: Board of County

Commissioners -

File Name: AMEND SEC 2-931-2-933 AGRICULTURAL PRACTICES

Introduced:

STUDY BD

9/4/2008

Requester: NONE

Cost:

Final Action: 9/2/2008

Agenda Date: 9/2/2008 Agenda Item Number: 7E

Notes: THIS IS

Title: ORDINANCE AMENDING ARTICLE LXVIII SECTIONS 2-931

FINAL

VERSION AS

ADOPTED.

ALSO SEE #082132

THROUGH 2-933 AND CREATING SECTIONS 2-934 THROUGH 2-936 OF THE CODE OF MIAMI-DADE COUNTY.

FLORIDA (CODE), PERTAINING TO THE AGRICULTURAL

PRACTICES STUDY ADVISORY BOARD (BOARD);

PROVIDING DEFINITIONS; ELECTION OF OFFICERS, AND FORMATION OF COMMITTEES; MODIFYING TERMS OF OFFICE AND FILLING OF VACANCIES: EXPANDING

BOARD'S AUTHORITY TO MAKE RECOMMENDATIONS ON PROPOSED OR EXISTING REGULATIONS; PROVIDING -

SEVERABILITY, INCLUSION IN THE CODE AND AN

EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS.

082132, 081855]

Indexes: ADVISORY BOARD

AGRICULTURAL PRACTICES STUDY

ADVISORY BOARD

Sponsors: Katy Sorenson, Prime

Sponsor

Rebeca Sosa, Co-

Sponsor

Sen. Javier D. Souto,

Co-Sponsor

Sunset Provision: No.

Effective Date:

Expiration Date:

Registered Lobbvist: None Listed

Legislative History

Acting Body	Date	Agenda Item	Action	Sent To	Due Date	Returned	Pass/Fail
County	9/4/2008		Assigned	Leigh		•	

Macdonald Altorney P 7E Amended Adopted as 9/2/2008 Board of amended County First Assistant County Attorney Abigail Price-Williams read the foregoing proposed ordinance Commissioners into the record. Commissioner Seijas noted Section 2-931.(g) was unnecessary. She REPORT: suggested the Agricultural Practices Advisory Board provide reports to the Commission. Commissioner Sorenson pointed out the Agricultural Practices Advisory Board already provided reports to the Commission. Following discussion among Commissioners Sorenson and Seljas and Mr. Charles LaPradd, Agricultural Manager, Department of Planning and Zoning, regarding the reports submitted by the Agricultural Practices Advisory Board, Commissioner Screnson amended this proposed ordinance to delete Section 2-931.(g). Assistant County Attorney Leigh

Legislative Text

delete Sections 2-931.(g) and 2-936.(2).

Macdonald advised that, pursuant to Commissioner Sorenson's amendment to delete Section

2-931.(g), Section 2-938.(2) should be deleted as well. Hearing no other questions or comments, the Commission proceeded to vote on this proposed ordinance as amended to

ORDINANCE AMENDING ARTICLE LXVIII SECTIONS 2-931 THROUGH 2-933 AND CREATING SECTIONS 2-934 THROUGH 2-936 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (CODE), PERTAINING TO THE AGRICULTURAL PRACTICES STUDY ADVISORY BOARD (BOARD); PROVIDING DEFINITIONS; ELECTION OF OFFICERS, AND FORMATION OF COMMITTEES; MODIFYING TERMS OF OFFICE AND FILLING OF VACANCIES; EXPANDING BOARD'S AUTHORITY TO MAKE RECOMMENDATIONS ON PROPOSED OR EXISTING REGULATIONS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE

Section 1. Article LXVIII Sections 2-931 through 2-933 of the Code of Miami-Dade County, Florida, COUNTY, FLORIDA: are hereby amended to read as follows:

ARTICLE LXVIII. AGRICULTURAL PRACTICES [[STUDY]] ADVISORY BOARD

Sec. 2-931. Creation; purpose; duties.

There is hereby created and established an advisory board to be known as the Agricultural Practices [[Study]] Advisory Board. Its purpose shall be to >>review proposed or existing << [[conduct a study of the]] regulation>>s or legislation pertaining to << [[of]] agricultural practices in Miami-Dade County [[, review the Agricultural Land Use Study]], and to provide recommendations to the Board of County Commissioners with regard to such regulations >> and legislation << [[and Agricultural Land Use Study]].

[[In order to fulfill purpose, the]] >> The duties of << the Board shall >> be to: << [[prepare and submit to the Board of County Commissioners an annual report addressing the following:]]

- (a) >>Evaluate<< [[An overview]] >>on an ongoing basis<>existing or proposed federal,<< state, regional>>,<< and local regulations, statutes, ordinances>>,<< and policies>> concerning or impacting [[agriculture]] >>the agricultural industry<< in Miami-Dade County;
- (b) >> Provide recommendations << [[Recommendations]] for eliminating or reducing duplication of effort when two (2) or more governmental entities administer similar regulatory programs;
- (c) >> Provide recommendations << [[Recommendations]] for eliminating or modifying >> language in the Code of Miami-Dade County and/or << regulatory activities that have mutually exclusive or contradictory criteria or goals;
- (d) >>Provide recommendations<< [[Recommendations]] for eliminating or modifying >>language in the Code of Miami-Dade County and/or<< regulatory activities that create undue burden or hardship on the agricultural industry; [[and]]
- (e) >> Provide recommendations << [[Recommendations]] for modifying or implementing provisions >> from any future or previously conducted study or plan that has the ability to impact the agricultural industry << [[in the Agricultural Land Use Study]]; and
- >>(f) Prepare draft language to the Board of County Commissioners amending relevant sections of the Code of Miaml-Dade County.<<

[[Sec, 2-932. Membership; qualifications.

- (a) There shall be a total of thirteen (13) members appointed by the Board of County Commissioners as follows:
- (1) Two (2) representatives from the Tropical Fruit Crops Industry of Miami-Dade County, one (1) recommended by Florida Lime and Avocado Committee, and one (1) recommended by the Tropical Fruit Growers of South Florida and Florida's Tropical Fruit Advisory Council;
- (2) Two (2) representatives from the nursery industry, recommended by the Miami-Dade County Chapter of the Florida Nurserymen and Growers Association;
- (3) Two (2) representatives from the vegetable industry, recommended by the Miami-Dade County Farm Bureau;
- (4) One (1) representative of the aquaculture industry, recommended by the ornamental Aquaculture Association of South Florida;
- (5) One (1) representative of a citizens' association supportive of agriculture, recommended by the Redland Citizens' Association;
- (6) One (1) representative of allied agribusiness, recommended by the Miami-Dade AgriCouncil;
- (7) One (1) representative of agri-banking, recommended by the Homestead-Florida City Chamber of Commerce;

- (8) One (1) representative of Farm Labor, recommended by Coalition of Florida Farmworkers Organizations;
- (9) One (1) representative of the South Dade Soil & Water Conservation District, recommended by the South Dade Soil & Water Conservation District; and
- (10) One (1) at large representative recommended by the Miami-Dade Agricultural Practices Study Advisory Board.
- (b) If a vacancy occurs, it shall be filled by the Board of County Commissioners from a slate of nominees selected by the County Manager through a selection process implemented by the Planning Department, Nominees shall be members of recognized agricultural interest organizations and shall have a demonstrated interest in the agricultural industry in Miami-Dade County.]]

>>Sec. 2-932. Definitions

For the purposes of this article, the following definitions apply:

Allied Agribusiness - a proprietorship, partnership, or other firm that provides goods, services, or supplies to those actively engaged in bona fide agriculture.

Board - the Agricultural Practices Advisory Board.

Director - the Director of the Department of Planning and Zoning or his or her designee.

Legislation - statutes, ordinances, resolutions, and policies. <<

[[Sec. 2-933. Terms; staff support.

Members shall have a major portion of their income from or work time devoted to production agriculture in Miami-Dade County, and shall be appointed for terms of three (3) years, with none serving more than two (2) consecutive terms in the same position. The County Manager shall designate representatives from the Department of Planning and Zoning to provide appropriate staff support to the Board.

(a) Transition. In the year 2000 (Transition Year 1) there will be two (2) at-large representatives, one (1) appointed for the regular three (3) year term and one (1) appointed for one (1) year only. There will therefore be a total of fourteen (14) members in Transition Year 1 only. Otherwise, the transition from the current board to the new board and three (3) year term rotations shall occur as follows:

Year 1 Transitions and Term Rotations:

- 1. Florida Lime & Avocado Committee (replacing current Tropical Fruit Growers of South Florida position)
- At-large representative (replacing current Tropical Fruit Growers of South Florida position) 2.
- Farm labor (replacing current Tropical Fruit and Vegetable position)
- Nursery representative #2 (replacing current Tropical Fruit Advisory Council position)

5. Citizens' Association

Year 2 Transitions and Term Rotations:

- 1. Tropical Fruit representative (replacing current Florida Mango forum position)
- 2. Vegetable representative #1
- 3. South Dade Soil & Water Conservation District
- 4. Allied Agribusiness

Year 3 Transition and Term Rotations:

- 1. Nursery representative #1
- 2. Vegetable representative #2
- 3. Agri-banking
- 4. Aquaculture.]]

>>Sec. 2-933. Membership; qualifications.

There shall be a total of thirteen (13) members appointed by the Board of County Commissioners as follows:

- (1) Two (2) representatives from the Tropical Fruit Crops Industry of Miami-Dade County, one (1) recommended by the Florida Avocado Committee, and one (1) recommended by the Tropical Fruit Growers of South Florida, Inc.;
- (2) Two (2) representatives from the nursery industry, recommended by the Miami-Dade County Chapter of the Florida Nursery Growers & Landscape Association;
- (3) Two (2) representatives from the vegetable industry, recommended by the Dade County Farm Bureau;
- (4) One (1) representative of the aquaculture industry, recommended by the Ornamental Aquaculture Association of South Florida;

- (5) One (1) representative of a citizens' association supportive of agriculture, recommended by the Redland Citizens' Association;
- (6) One (1) representative of allied agribusiness recommended by the Dade AgriCouncil;
- (7) One (1) representative of agri-banking, >>agri-financial consulting, or agri-lending << recommended by the Homestead-Florida City Chamber of Commerce;
- (8) One (1) representative of Farm Labor, recommended by Coalition of Florida Farmworkers Organizations;
- (9) One (1) representative of the South Dade Soil & Water Conservation District, recommended by the South Dade Soil & Water Conservation District; and
- (10) One (1) at large representative recommended by the Miami-Dade Agricultural Practices Advisory Board.

Members shall have a majority of their income from or work time devoted to production agriculture in Miami-Dade County, hold membership in recognized agricultural organizations, or have a demonstrated interest in the agricultural industry in Miami-Dade County, <<

Section 2. Sections 2-934 through 2-936 of the Code of Miami-Dade County are hereby created to read as follows:

>>Sec. 2-934. Terms; Term Limits

Members shall be appointed for terms of four years, and no member may serve more than two terms, consecutive or otherwise. Members of the Board as of the effective date of this ordinance ("Current Members") shall serve out the terms for which they were appointed. Thereafter, Current Members who have served only one term may be reappointed for one four-year term. Current members who have served two or more terms may not be reappointed to the Board.<<

- >>Sec. 2-935 Vacancies; election of officers; committees; meetings and records.
- (a) Vacancies. If a vacancy occurs, it shall be filled by the Board of County Commissioners. The designated organizations listed in Section 2-933 shall submit at least one nominee from their respective organizations, including the nominee's resume and the minutes of the board meeting approving the nominee to the County Manager, who shall forward the nominee to the Board of County Commissioners in a timely manner. In the case where a member organization fails to submit a nomination for a replacement member within 45 days of notification of a vacancy, the Board shall propose a nominee to fill the vacancy. The nominee shall be approved at a meeting of the Board, and the Board shall forward the minutes approving such nominee, together with the nominee's resume, to

the County Manager, who shall forward the nominee to the Board of County Commissioners in a timely manner.

- (b) Election of officers. The Board shall annually elect a Chairperson and Vice-Chairperson from among its members at the Board's last meeting of each calendar year, or at the first Board meeting after a vacancy may occur in such positions. The Chairperson shall preside at all meetings at which he or she is present. The Vice-Chairperson shall act as Chairperson in the absence or inability of the Chairperson.
- (c) Committees. The Board may establish or eliminate committees at its discretion; however, only two such committees may be in existence at any time. In no instance shall the authority to act or speak in the name of the Board be delegated to any committee. The Chairperson shall nominate and appoint the chairperson and members of such committees as the Board shall find helpful to their mission. The committee chairperson shall schedule committee meetings, set the agenda, establish guidelines for discussion at committee meetings, and ensure that committee meeting minutes are properly recorded. Committees shall consist of at least three (3) members appointed by the Chairperson. Fifty-one percent of a committee's membership shall constitute a quorum.
- (d) Meetings. The Board shall hold regular meetings at least bimonthly and at other times in consultation with the Director.

>>Sec. 2-936 Staff support.

- (1) The Director shall designate representatives from the Department of Planning and Zoning to prepare meeting agendas, advertise meeting dates, record minutes from meetings of the Board, reserve meeting locations, arrange for speakers, administer the filling of vacancies, prepare and forward resolutions adopted by the Board to the County Manager, and provide the Board with a monthly update of the progress of such resolutions as they move through the legislative process.
- (2) Representatives from the Department of Planning and Zoning shall prepare draft ordinances and correspondence. <<

Section 3. If any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section." "article." or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days from the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

1 Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

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Approved	_Mayor	Amended Agenda Item No. 7(B)
Veto Override		8-2-11
	ORDINANCE NO.	11-58

ORDINANCE AMENDING SECTION 2-934 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERTAINING TO THE AGRICULTURAL PRACTICES ADVISORY BOARD; ELIMINATING TERM LIMITS; PROVIDING THAT A MEMBER MAY SERVE UNTIL HIS OR HER SUCCESSOR HAS BEEN APPOINTED AND QUALIFIED; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. Section 2-934 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec 2-934. Terms[[; term limits]].

>>Notwithstanding anything in the Code to the contrary, m<[[M]]embers shall be appointed for terms of four years>>without term limits,<[[], and no member may serve more than two terms, conscentive or otherwise. Members of the Board as of the effective date of this ordinance ("Current Members") shall serve out the terms for which they were appointed. Thereafter, Current Members who have served only one term may be reappointed for one four year term. Current members who have served two or more terms may not be reappointed to the Board.]] >>A member may serve until his or her successor has been duly appointed and qualified.<

Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged,

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Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

August 2, 2011

Approved by County Attorney as to form and legal sufficiency:

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Prepared by:

Abble Schwaderer-Raurell

Prime Sponsor:

Commissioner Lynda Bell

Co-Sponsors:

Commissioner Sally A. Heyman Commissioner Barbara J. Jordan

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AGRICULTURAL PRACTICES ADVISORY BOARD MEETING SUMMARY

John D. Campbell Agricultural Center Auditorium 18710 SW 288 Street, Homestead, Florida December 3, 2014

Larry Caudle (Chair), Sam Accursio (V. Chair), James Humble, Diego Rodriguez, Robert Thompson, Erik Tietig, Tommy Vick, and

Ivonne Alexander (Excused), Jonathan Borghi, Bill Losner (Excused), Martin Motes (Excused) and Arie de Zwart (Excused)

Department of Regulatory and Economic Resources (RER) staff

Felix Acosta, Development Services Division Mark Dorsey, Planning Division Charles LaPradd, Agricultural Manager, Consumer Services Division

Other Miami-Dade County and Government Staff

Lt. Eddie Aponte, Miami-Dade Police Department, Agricultural Patrol Rebecca Elliott, Florida Department of Agricultural and Community Services Teresa Olczyk, Miami-Dade Cooperative Extension, Consumer Services Division Mike Worley, South Florida Water Management District

Public Attendance

Debbie Brady, Dade County Farm Bureau Steve Carney, Carney Environmental Gary J. Dufek Dallas L. Manuel Don Pybas, Avocado Committee

Chair Caudle called the meeting to order at 9:12 AM.

Reports

Chair Caudle opened the meeting and announced that Mr. Mark Dorsey, APAB Coordinator, had certain items that needed to be addressed.

Mr. Dorsey announced that elections for Chair and Vice-Chair are held at the end of each year. He said the Board may keep the current Chair and Vice-Chair or nominate new candidates. Mr. Dorsey also announced that every two years a sunset review is conducted to determine whether certain County boards continue to be relevant. He provided a partially completed copy of the 2015 Sunset Review questionnaire, and asked the Board to provide any additional suggestions regarding their activities over the previous 2 years. He will revise and update the questionnaire and forward the completed document to the Office of Management and Budget by January 5, 2015.

Board Member Humble said the problem is that their suggestions and recommendations are ignored or sat on by the Board of County Commissioners (BCC). He said it's hard for people to volunteer their time to participate only to be ignored by the BCC. Regarding a question whether the APAB's establishing ordinance (Ordinance No. 95-03; 01/17/95) should be amended to better serve the APAB, Board Member DeMott suggested amending the ordinance to request that the BCC respond to the APAB's requests. Mr. Dorsey explained that the APAB is strictly an advisory board; the BCC makes political decisions and thus has the option to respond or not respond to the APAB's suggestions. However, he said the APAB's recommendation in 2011 to eliminate term limits was an example of amending the ordinance through the Sunset Review process.

Board members further discussed past activities and agreed that County departments have generally responded to their requests for information and/or presentations to the APAB. Board Member Thompson asked if each commissioner receives the APAB Agenda and Summary (minutes). Mr. Dorsey replied that he sends monthly agendas and summaries via an e-mail list, which includes some commissioners and/or their staff, but not all commissioners receive this information.

Board Member DeMott moved that Larry Caudle and Sam Accursio remain in the positions of Agricultural Practices Advisory Board Chair and Vice-Chair, respectively; Board Member Motes seconded the motion. The motion passed unanimously 7-0 as follows:

Ivonne Alexander	Absent	Diego Rodriguez	Yes
Jonathan Borghi	Absent	Robert Thompson	Yes
John DeMott	Yes	Erik Tietig	Yes
James Humble	Yes	Tommy Vick	Yes
Bill Losner	Absent	Arie de Zwart	Absent
Martin Motes	Yes		
	y Caudle, Cha	ir N/A	
	Accursio, Vic		

Mr. Dorsey then reported that he had spoken with a County attorney, as requested by the Board last month, regarding the proposed culinary kitchen at the Redland Farm Life School (Redland School). He said it is a complicated Issue and the attorney is not ready to present to the APAB. However, many issues remain between the County Attorney's Office and Florida International University (FIU) that need to be addressed before the project begins.

Mr. Charles LaPradd, Agricultural Manager, said the Pioneer Museum obtained the lease for the Redland School after Hurricane Andrew, and obtained general obligation bond funds and a contract to repair the exterior, and to either operate the school or find a user for the school. He said there is a tentative sublease between the Ploneer Museum—which has a 30-year lease with two 10-year renewals—and a third party so it is not a County lease, but the County is helping to provide the legal work between the museum and the third party. Commissioner Levine Cava is Interested in having the County move forward on the project, but if FIU remains involved in the project it eliminates the third party's options. He said Miami-Dade College (MDC) and FIU both have culinary schools—FIU's culinary school is located near the Miami-Dade County-Broward County line, while MDC's culinary school is located on its Wolfson Campus in downtown Miami—yet one-half of MDC students commute from South Dade, south of Kendall Drive, so both schools are too far for many students. There is also a culinary magnet program for Miami-Dade County Public Schools located at the Robert Morgan Educational Center, so the Redland School's commercial kitchen could serve as a finishing program.

Agricultural Patrol Report

Lt. Eddie Aponte reported 127 cases which resulted in 82 written reports and 35 arrests in November 2014. There were 10 reported burglaries, including: 3 golf carts from one location and 1 golf cart from

another, a John Deere tractor, and 7 turkeys and 80 chickens stolen from the Bamboo Hammocks Nursery before Thanksgiving. There were 3 thefts which included avocados—the individual was apprehended—4 tractor batteries, and 63 brass sprinkler heads. There were 18 civil citations, most for no commercial markings or tax receipts; 16 animal cases, including dumped (dead) animals and one case of which police officers found an abandoned and emaciated horse which they called in to have It euthanized. There were 18 miscellaneous cases, including suspicious vehicles and people, and a tractor stolen from Hialeah and dumped in the Agricultural area. Lt. Aponte reminded everyone to be careful during the holiday shopping season and to be safe.

Agricultural Manager's Report

Mr. LaPradd reported that the BCC approved two relevant items during yesterday's public hearing, including an ordinance that allows limited feed sales in the Las Palmas area (8 1/2 Square Mile Area) and the C-9 Basin, and a resolution declaring May 15 as "Miami-Dade County Farmers' Day" beginning in 2015. He said he has received inquiries from the U.S. Department of the Interior, the Division of Environmental Resources and others to utilize the dirt mounds from the 'hole in the donut' to elevate farmland along Ingraham Highway to prevent flooding. He said it's mostly Rockland with some Marl that was rock-plowed years ago and the land has since been restored and planted with sawgrass. The dirt was mounded-up because it contains invasive and exotic plants and seeds.

The Board discussed farming in the area and how the low lying lands sustained agriculture for years, and the water Everglades National Park(ENP) rejects is diverted to South Dade. Some members believed the issue was a distraction and the Board should instead focus on the excessive water levels.

Board Member Motes moved that the Agricultural Manager advise the Board of County Commissioners that: a) utilizing the soil from the 'hole in the donut' to elevate agricultural lands is a distraction from what the APAB views as the issues facing South Dade agriculture, and b) it is premature to consider such actions before examining the results of the proper management of the water/canal system; the motion was seconded by Board Member Thompson.

Discussion followed. Mr. LaPradd further explained that farming ended on the approximately 50-acre site in the 1960s. Several years later, the Department of Interior claimed the land was full of Brazillan Pepper and other exotics, and recommended returning it to sawgrass prairie. He said they cleared the land and removed the top soil with the intent to heat it to kill the seeds; instead, they piled the material into mounds or pyramids. They now believe the soil has been mounded long enough to kill the seeds and the soil can now be used. He added that the area has been successfully restored. Having restated the motion, the motion passed unanimously 9 to 0 as follows:

Ivonne Alexander Jonathan Borghi John DeMott James Humble Bill Losner Martin Motes	Absent Absent Yes Yes Absent Yes Caudle, Cha	Diego Rodriguez Robert Thompson Erik Tietig Tommy Vick Arie de Zwart ir Yes	Yes Yes Yes Yes Absent
Sar	n Accursio, Vic	e Chair Yes	

Board Member Humble said the amount of water Input into South Dade is not equal to the output, and the County could serve a good purpose if they would just defend 'their' canal system. He said Board Member Accursio dealt with flooding a few weeks ago, yet the National Oceanographic and Atmospheric Administration (NOAA) claimed that November was dryer and cooler than normal. Board Member Accursio replied that there was less rainfall, but water levels were still high. Board Member Humble said Dr. Johnathan Crane (Tropical Research and Education Center; TREC) has acknowledged increased research into Phytophthora, "water mold," in tree crops over the last few years when it was never an issue here before. Board Member Humble said for many years the U.S. Army Corps of Engineers (Corps) refused to visit South Dade, and although they have recently visited they continue to refuse to act. Board Member Accursio said the State is currently interested in port dredging and railroads, but not South Dade. He said he is bedding his fields as high as he can, but fears the County may penalize him for planting too high; he said he would be interested in using the soil to raise his property.

Cooperative Extension Report

Ms. Teresa Olczyk announced upcoming classes. She also said that Cooperative Extension maintains four weather stations which measure weather conditions at 15-minute intervals, and is available to the public; she thanked Mr. Don Pybas for calibrating and maintaining the weather stations. Lastly, Ms. Olczyk announced that Mr. Jeremy Smith was recently hired as a new 4-H agent. Mr. Smith's office is located in Amelia Earhart Park, and he is currently seeking volunteers to participate in agricultural and horticultural programs.

New Business N/A

IWA

Unfinished Business

N/A

Public Comment/Board Announcements

Ms. Rebecca Elliott, Florida Department of Agricultural and Community Services (FDACS), Office of Water Policy, announced that she has heard there is a lack of data to substantiate the increased flood risks South Dade is experiencing, that there is no "smoking gun." She provided a copy of a letter written by various environmental organizations to the South Florida Water Management District (District) and the Corps. One part of the letter states that operational changes to S-197 would cause environmental damage, and "[M]oreover, the rational for these proposed operations, that these operations would ease flooding, is an uncertain response to an unsubstantiated concern." Ms. Elliott said the Board needs to collect empirical data in a methodical way, rather than state what people see as anecdotal evidence. However, she said the Corps and the District are beginning to recognize, conceptually, that flood risks have increased, but they will be challenged as to how the data is measured and how problem(s) will be verified. She said the District's next Project Delivery Team meeting will be on December 9th, and field tests have been moved to May 2015.

Board Member Humble asked why every canal discharges millions of acre feet of water into Biscayne National Park every day without question, yet opening S-197 is viewed as a problem. Ms. Elliott said the reason is because of the projects associated with S-197 and some of the operations have been put into those projects for environmental benefits, so it becomes controversial. In past years, the opening of S-17 caused a lot of damage when they pulled the plugs on the old structure. However, since a new structure was built, one would think that it could be operated in a manner that would decrease flood risk without causing environmental damage, but people are emotionally tied to that structure. She added that there has not been a combined "operational permit" in several years; they instead have had "emergency orders," which they are now up to "Emergency Order No. 10" over the last 13 years, which is highly unusual.

Board Member Motes made a motion that the APAB recommend to the BCC that they direct the appropriate agency to conduct a thorough and scientific investigation of flooding in South Dade agricultural lands; the motion was seconded by Board Member Thompson.

Board Member Humble suggested that the District conduct the study because by law, we pay them for flood protection. Ms. Elliott replied that County involvement would be a good idea, but the District is beginning to collect the data per the Florida Department of Agriculture and Consumer Service's requirement, as well as the Corps, and suggested there be some interagency coordination. Board Member Motes replied that despite the anecdotal evidence that has been provided, the Corps has not taken concrete steps to address the issue, and if the District and/or the Corps will not address it, the BCC should. Mr. LaPradd said in the two public meetings they've had with the Corps, Colonel Dodd stated that the Corps' data (wells and gauges) did not show that flooding was occurring in South Dade.

Mr. Mike Worley, District, said the day Board Member Accursio contacted him regarding high water levels, he (Mr. Worley) called the District's on-duty water manager who found that the various structures (S-177, S-18C, S-197, etc.) were operating lower than their already low operational levels. He said the thinking is that if they lower the C-111 even more it would reduce water levels to Taylor Slough in Everglades National Park. Board members replied that the Corps continually moves the high water level trigger to avoid opening the structures. Mr. Worley replied that the District cannot arbitrarily open structures when farmers report high water levels; the District has to follow the Corps' criteria. However, he said the District can physically check the gauges to verify what the water levels are, and compare them to data at their West Palm Beach office. They can also look at other structures that are close to the lower limit and open those structures to provide some relief.

Board Member Motes restated the motion that the APAB recommend to the BCC that they direct the Division of Environmental Resource Management or other appropriate agency to conduct a thorough and scientific investigation of flooding in South Dade agricultural lands; the motion was seconded by Board Member Thompson. The motion passed 6 to 2 as follows:

Ivonne Alexander Jonathan Borghi John DeMott James Humble Bill Losner Martin Motes	Absent Absent Yes Yes Absent Yes	Erik Tieti Tommy \ Arie de Z	hompson g /ick /wart	No Yes Absent Yes Absent
Larry Caudle, Chair			es	
Sam Accursio, Vice Chair			lo	

However, Board Member Humble amended the motion to read that the APAB recommend to the BCC to request the South Florida Water Management District conduct an analysis of the flood protection system in South Dade County after the changes were made to the water level criteria to verify if the criteria should be maintained; the motion was seconded by Board Member DeMott. The motion passed unanimously 9 to 0 as follows:

Ivonne Alexander Jonathan Borghi John DeMott James Humble Bill Losner Martin Motes	Absent Absent Yes Yes Absent Yes	Diego Rodriguez Robert Thompson Erik Tletig Tommy Vick Arie de Zwart	Yes Yes Yes Yes Absent
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Larry Caudle, Chair Yes Sam Accursio, Vice Chair Yes

Ms. Elliott continued her comments and said water is still being pumped into the system C-111 South Dade Project detention area, later than usual, in order to keep Taylor Slough hydrated. This is called an "exceedant of the minimum flow," which happened last year; if it occurs again this year the District would be in violation. She also announced that the District's Governing Board has a vacancy for the South Dade seat and recommended Board members to look for people interested in that position. Ms. Elliot also said Mr. Jeff Kivett, District, and Director of Operations, toured the agricultural area and said at the last Governing Board meeting that there were no flooding issues in South Dade this year. She recommended that the Board get their information to the public as soon as possible.

Ms. Debbie Brady, Dade County Farm Bureau (DCFB), announced that the DCFB Executive Board commended Mr. Tom MacVicar (hydrologist/consultant) at their meeting yesterday for all of the work he has accomplished. However, it has become a financial burden on him since he is representing the various organizations by himself. She said more voices and participants are needed, including the presentation of facts that support their concerns. Also, Ms. Brady announced that the Everglades Coalition will hold its 30th Annual Everglades Coalition Conference in Key Largo from January 8-10, 2015. She encouraged members to attend.

Adoption of Minutes

Board Member DeMott requested that the November 2014 Meeting Summary be corrected to include his attendance, and Mr. LaPradd corrected Page 2, 3rd paragraph to read "...the Pioneer Museum has a 30-year lease with the school..." Board Member Motes moved to adopt the meeting summary as amended; Board Member Thompson seconded the motion.

Set Agenda

Adjournment

With no further matters for discussion, the meeting was adjourned at 11:18 AM.

Stephen M. Dorsey, AICP, Coordinator